

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7765**

**BILL NUMBER: SB 467**

**NOTE PREPARED: Jan 14, 2003**

**BILL AMENDED:**

**SUBJECT:** Coal Trucks.

**FIRST AUTHOR:** Sen. Hume

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires the removal of mud and other natural material from the exterior of a truck that is transporting coal from a mining site before the truck may use a public highway.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** A permittee who violates surface coal mining and reclamation regulations may be assessed a civil penalty of not more than \$5,000, and each day of violation may be considered a separate violation for the purposes of assessing a civil penalty. All civil penalties received by the Division regarding surface coal mining and reclamation regulations are deposited in the Post-1977 Abandoned Mine Reclamation Fund. The Fund received \$138,661 in civil penalties and forfeited bonds in FY 2002.

*Court Fee Revenue:* If additional civil actions occur, revenue to the state General Fund may increase if court fees are collected. A civil filing fee of \$100 would be assessed when a civil case is filed. 70% of the filing fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that

prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.

**State Agencies Affected:** Division of Reclamation, Department of Natural Resources.

**Local Agencies Affected:** Trial courts, city and town courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Valerie Ruda, 317-232-9867